

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

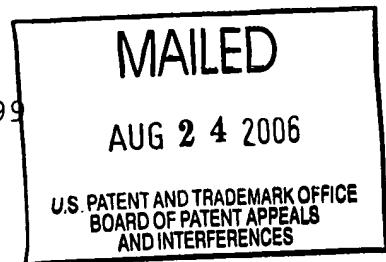
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte BALJEET SINGH BAWEJA, KULVIR SINGH BHOGAL, NIZAMUDEEN ISHMAEL JR. and MANDEEP SINGH SIDHU

Appeal No. 2006-1947
Application No. 09/589,799

ON BRIEF



Before HAIRSTON, RUGGIERO and HOMERE, Administrative Patent Judges.

HAIRSTON, Administrative Patent Judge

DECISION ON APPEAL

This is an appeal from the final rejection of claims 1, 3 through 7, 9 through 12 and 14 through 17.

The disclosed invention relates to a method and system for distributing data processing transactions into a plurality of messages, and dynamically allocating each of the messages to different computers for performance. The distributed messages are stored in a queue, and the messages as well as the computer systems are interactively displayed.

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Claim 7 is illustrative of the claimed invention, and it reads as follows:

7. A method for distributing data processing transactions into a plurality of messages and for dynamically allocating each of said messages to different computer systems for performance comprising:

requesting the performance of a data processing transaction,

distributing said transaction into a plurality of messages and allocating said messages to different computer systems,

storing the plurality of messages from the distributed transaction in a queue, and

interactively displaying said stored plurality of allocated messages and computer systems.

The references relied on by the examiner are:

Tobe et al. (Tobe)	5,778,224	July 7, 1998
Gossler et al. (Gossler)	5,799,173	Aug. 25, 1998
Kitagawa et al. (Kitagawa)	6,578,159	June 10, 2003
(filed Nov. 18, 1999)		

Claims 1, 3 through 7, 9 through 12 and 14 through 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tobe in view of Kitagawa and Official Notice by referring to Gossler.

Reference is made to the briefs and the answer for the respective positions of the appellants and the examiner.

OPINION

We have carefully considered the entire record before us, and we will reverse the obviousness rejection of claims 1, 3 through 7, 9 through 12 and 14 through 17.

As indicated by the title and the abstract, Tobe is concerned with distributing a plurality of transactions among a plurality of computers for execution of the transactions. In an aside, Tobe mentions that one transaction may be shared by a plurality of processing nodes 1b to 1e (column 7, lines 55 through 59).

When an error occurs during the execution of a transaction by a server in Kitagawa, a compensation process is executed in parallel in accordance with a registered error recovery flow (Figure 5A; Abstract; column 2, lines 4 through 13; column 8, lines 43 through 53). In Kitagawa, the compensation process, as opposed to the transaction, is executed in parallel.

Gossler describes dynamic workload balancing in a message driven transaction system (Abstract; column 1, lines 7 though 17; column 2, lines 50 and 51). A service unit 55 that includes a service unit queue 57 is linked with a plurality of servers 60 through 68 for performing a data processing transaction (column 2, lines 51 through 58). The service unit 55 performs the transaction by distributing service requests/messages to the plurality of servers 60 through 68 (column 1, lines 12 through

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16; column 2, lines 58 through 61; column 3, lines 34 through 37; column 7, lines 18 through 25). Gossler stores the plurality of messages from the distributed transaction in a queue (column 7, lines 21 and 22).

Appellants acknowledge that queues are known in the art, but argue that "Applicants' novel solution of storing all messages distributed and allocated by the server in a server queue which the user is enabled to display" is unknown in the art (brief, page 7; reply brief, pages 2 and 3).

We agree with the appellants' argument. Although Gossler uses a queuing monitor 85 to monitor the activity of the workload balancing system (column 3, lines 11 through 20), none of the applied references teaches or would have suggested to one of ordinary skill in the art the displaying of the contents of the queue in Gossler. For this reason, the obviousness rejection of claims 1, 3 through 7, 9 through 12 and 14 through 17 is reversed.

DECISION

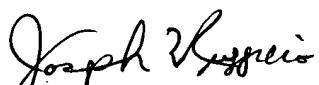
The decision of the examiner rejecting claims 1, 3 through 7, 9 through 12 and 14 through 17 under 35 U.S.C. § 103(a) is reversed.

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REVERSED



KENNETH W. HAIRSTON
Administrative Patent Judge



JOSEPH F. RUGGIERO
Administrative Patent Judge



JEAN R. HOMERE
Administrative Patent Judge

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